

REMARKS

Status of Claims

Claims 1-6 are pending in the application. Claims 1-6 were rejected.

Support for Amendments

Applicants respectfully request that claims 1-6 be amended. Certain aspects of the amendments merely reflect spelling corrections. No new matter has been added in amending said claims.

The Rejection Under 35 U.S.C. §112, First Paragraph

Claims 2, 4 and 6 were rejected under 35 U.S.C. §112, first paragraph, "because the specification, while being enabling for the process of making compounds of formulae (WHH), (Z') and (AA') wherein R⁸ is -O-C₁₋₄alkyl, or -N(CH₃(OCH₃) does not reasonably provide enablement for compounds of the process of making compounds of formulae (WHH), (Z') and (AA') wherein R⁸ is *other suitable leaving group*." Applicants have amended the claims such that they no longer read "or other suitable leaving group". Applicants therefore respectfully request that the instant §112, first paragraph, rejection be withdrawn.

The Rejection Under 35 U.S.C. §112, Second Paragraph

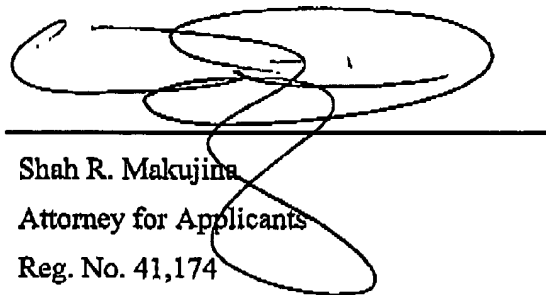
Claims 1-6 were rejected under 35 U.S.C. §112, second paragraph, as being "indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as his invention," stemming from the use of "other suitable leaving group" language. Applicants have amended the claims such that they no longer read "or other suitable leaving group". Therefore, Applicants respectfully request the Examiner to withdraw the instant §112, second paragraph, rejection.

10/767,645 / CT2662 DIV1

In light of the amendments and remarks herein, Applicants respectfully request the Examiner to enter said amendments and respectfully submit that the application is in condition for allowance. Applicants reserve the right to file divisional application(s) on non-elected subject matter. The Commissioner is authorized to withdraw any necessary fees from Deposit Account 19-3880.

Respectfully submitted,

Dated: January 9, 2006



Shah R. Makujina
Attorney for Applicants
Reg. No. 41,174

Bristol-Myers Squibb Company
Patent Department
P.O. Box 4000
Princeton, NJ 08543-4000
Phone: (203) 677-7268